

REMARKS

Amendments to the claims

The language of claim 1 has been clarified to recite that the processing means is arranged to *"repeatedly authenticate the primary token and cause the computing platform to suspend interaction between the secure process and the user if authentication is not possible as a result of the removal of the primary token unless the primary token is replaced by an authorised auxiliary token identified by said auxiliary token information"*.

The language of claim 15 has been clarified to recite that the primary token contains *"information suitable for authenticating the primary token and identification information relating to one or more authorised auxiliary tokens"* and to recite *"suspending the interaction between the computing apparatus and the user unless the primary token has been replaced with an authorised auxiliary token identified by said auxiliary token identification information"*.

The language of claim 22 has been clarified to recite that *"the one or more processors are arranged to repeatedly authenticate the primary token and cause the computing platform to suspend interaction between the secure process and the user if authentication is not possible as a result of the removal of the primary token unless the primary token is replaced by an authorized auxiliary token identified by said auxiliary token information"*.

The above clarifications are supported by the application as filed, for example page 5, lines 35-36 of the specification.

Applicants note that the above clarifications have been conducted for clarity purpose only, and not for distinguishing over the prior art.

No new matter has been added.

Rejection under 35 U.S.C. 103

Claims 1, 3-5, 8, 9, 13-15, 17-19, 22 and 29 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,298,441 to Handelman et al. in view of U.S. Pat.

No. 5,442,704 to Holtey; claims 2, 12, 16, 23 and 28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Handelman in view of Holtey and further in view of U.S. Pat. No. 6,173,400 to Perlman; and claims 10, 11, 26 and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Handelman in view of Holtey and further in view of U.S. Pat. No. 5,923,759 to Lee. Applicants respectfully disagree.

Claim 1

In section 4 of the Action, the Examiner acknowledges that "Handelman discloses that if the main card is removed from the card receptacle none of the transmitted program is decrypted (i.e. interaction between the secure process and the user is suspended)".

However, the Examiner further asserts that col. 8, lines 32-48, Handelman "discloses that when the main card is needed to be replaced the required authentication information are transmitted to the parent card (i.e., auxiliary card) in order to decrypt the receiving program until a new main card is received by the consumer (col. 8, lines 32-48)". Applicants respectfully disagree.

Handelman discloses, at col.8, lines 34-37 that the main card is to be frequently replaced while the parent card is seldom replaced, and "*all entitlements and billing data remaining in the main card since last report to a billing facility may be transmitted to the parent card prior to replacement of the main card*". The entitlement and billing data stored in the parent card are transferred to a new main card, after "authentication, verification, validation or a combination thereof of the main card", if "the new main card is found to be valid (col. 8, lines 37-46)".

Applicants note that there is no indication in Handelman that the parent card is whatsoever allowed to "decrypt the receiving program until a new main card is received by the consumer", as asserted by the Examiner. Indeed, Handelman teaches just the opposite. The parent card is incapable to decrypt program material. Handelman specifically teaches that "if the main card is removed from the card receptacle 24 none of the transmitted programs is decrypted" (col. 8, lines 5-9).

Further, Applicants respectfully submit that it goes against the very teachings of Handelman to assert that the parent card can be allowed to "decrypt the receiving

program until a new main card is received by the consumer", since this would mean that the new main card is not necessary anymore. If the parent card allowed decrypting the programs, the consumer could use the parent card alone to view programs, which obviously goes against the teachings of Handelman that provide for changing periodically the main subscriber card to precisely avoid such issues (col. 8, lines 22-26). In view of the Above, Applicants respectfully note that in addition not to teach allowing the system to operate without the main card, Handelman clearly teaches away from such a feature. Handelman's parent card does not anticipate the auxiliary token of Claim 1.

Should the Examiner disagree, Applicants respectfully request the Examiner to clearly and specifically point out where Handelman would disclose that the parent card is allowed to decrypt the receiving program until a new main card is received by the consumer, in accordance with 37 C.F.R. 1.104(c)2.

Applicants note that the Examiner further asserts that the replacement card can also be considered as an auxiliary card. Applicants respectfully disagree. The invention as recited in claim 1 provides for a primary token that contains identity information that allows interacting with a secure process, and that also stores token identity information about authorized auxiliary token, which allow "introducing" said auxiliary token to the process (see for example page 5, lines 35-36 of the specification), wherein the auxiliary token then also allow interacting with the secure process.

Applicants note that Handelman provides for a main card with identity information that allows decrypting broadcasts, and an auxiliary (parent) card that allows, when used in combination with the main card, decrypting additional broadcasts. Handelman does not disclose or suggest that the parent card is identified in the main card, and explicitly teaches that the parent card alone cannot allow decrypting anything.

Handelman teaches that the main card can be replaced periodically. Applicants acknowledge that the replacement main card should have the same identity information, and should allow decrypting the broadcasts as the old main card. However, Applicants note that Handelman does not disclose or suggest that the old

main card introduces in any way the replacement card, and in particular, stores any identity information about the replacement card.

Accordingly, Applicants respectfully submit that the Examiner has failed to show that Handelman discloses or suggests a primary token comprising a token memory storing "*auxiliary token information identifying one or more authorised auxiliary tokens*" as recited in claim 1.

Applicants further submit that claim 1 has been clarified to recite that "*the processing means is arranged to repeatedly authenticate the primary token and cause the computing platform to suspend interaction between the secure process and the user if authentication is not possible as a result of the removal of the primary token unless the primary token is replaced by an authorised auxiliary token identified by said auxiliary token information*".

Applicants note that the above arguments can be used to show that the replacement main card of Handelman cannot be deemed to disclose or suggest an "*auxiliary token identified by said auxiliary token information*", as recited in amended claim 1.

Applicants submit that the Examiner has failed to show that Holtey discloses or suggest the above features, and therefore submit that the Examiner has failed to show that a combination of Handelman and Holtey would have led one of ordinary skill in the art to a computing apparatus as recited in claim 1, and in particular comprising processing means, wherein the processing means is arranged to "*cause the computing platform to suspend interaction between the secure process and the user if authentication is not possible as a result of the removal of the primary token unless the primary token is replaced by an authorised auxiliary token identified by said auxiliary token information*".

Consequently Applicants respectfully submit that claim 1 is patentable over Handelman in view of Holtey.

Claim 15

The above arguments can be used to show that Handelman does not disclose or

suggest a method as recited in claim 15, and in particular comprising the step: *"if it is not possible to re-authenticate the primary token, suspending the interaction between the computing apparatus and the user unless the primary token has been replaced with an authorised auxiliary token identified by said auxiliary token identification information"*, and that the Examiner has failed to show that a combination of Handelman and Holtey would have led one of ordinary skill in the art to such a method. Accordingly, Applicants respectfully submit that claim 15 is patentable over Handelman in view of Holtey.

Claim 22

The above arguments can be used to show that Handelman does not disclose or suggest a computing apparatus as recited in claim 22, and in particular comprising one or more processors arranged to *"cause the computing platform to suspend interaction between the secure process and the user if authentication is not possible as a result of the removal of the primary token unless the primary token is replaced by an authorized auxiliary token identified by said auxiliary token information"*, and that the Examiner has failed to show that a combination of Handelman and Holtey would have led one of ordinary skill in the art to such a computing apparatus. Accordingly, Applicants respectfully submit that claim 22 is patentable over Handelman in view of Holtey.

Claims 3-5, 8, 9, 13-14, 17-19 and 29

Claims 3-5, 8-9 and 13-14 depend on claim 1; claims 17-19 depend on claim 15 and claim 29 depend on claim 22. Applicants submit that at least in view of their dependency on claims 1, 15 or 22, claims 3-5, 8-9, 13-14, 17-19 and 29 are patentable over Handelman in view of Holtey.

Claims 2, 12, 16, 23 and 28

As a preamble, Applicants note that Perlman provides for using an authentication token to establish a shared secret between a local device and a remote device to guarantee the integrity of information transferred therebetween (col. 4, lines

56-60), but does not relate to the integrity of the local device itself, and can therefore not be deemed to be related to *"the integrity of the computing apparatus"* as recited in claim 2.

Besides, Applicants note that claims 2 and 12 depend directly or indirectly on claim 1; claim 16 depends on claim 15; and claims 23 and 28 depend directly or indirectly on claim 22. The above arguments can be used to show that the Examiner has failed to demonstrate that either Handelman, Holtey or Perlman disclose or suggest a computing apparatus as recited in claim 1, and in particular comprising processing means, wherein the processing means is arranged to *"cause the computing platform to suspend interaction between the secure process and the user if authentication is not possible as a result of the removal of the primary token unless the primary token is replaced by an authorised auxiliary token identified by said auxiliary token information"*, or as recited in claim 22, and in particular comprising one or more processors arranged to *"cause the computing platform to suspend interaction between the secure process and the user if authentication is not possible as a result of the removal of the primary token unless the primary token is replaced by an authorized auxiliary token identified by said auxiliary token information"*, or a method as recited in claim 15, and in particular comprising the step: *"if it is not possible to re-authenticate the primary token, suspending the interaction between the computing apparatus and the user unless the primary token has been replaced with an authorised auxiliary token identified by said auxiliary token identification information"*. Accordingly, Applicants respectfully submit that the Examiner has failed to show that any combination of Handelman, Holtey or Perlman would have led one of ordinary skill in the art either to a computing apparatus as recited in claim 1 or in claim 22, or to a method as recited in claim 15. Applicants therefore submit that claims 1, 15 and 22 are patentable over Handelman, in view of Holtey and further in view of Perlman.

Applicants submit that at least in view of their dependency on claims 1, 15 or 22, claims 2, 12, 16, 23 and 28 are patentable over Handelman, in view of Holtey and further in view of Perlman.

Claims 10, 11, 26 and 27

Claims 10 and 11 depend directly or indirectly on claim 1; and claims 26 and 27 depend directly or indirectly on claim 22. The above arguments can be used to show

that the Examiner has failed to demonstrate that either Handelman, Holtey or Lee disclose or suggest a computing apparatus as recited in claim 1, and in particular comprising processing means, wherein the processing means is arranged to *"cause the computing platform to suspend interaction between the secure process and the user if authentication is not possible as a result of the removal of the primary token unless the primary token is replaced by an authorised auxiliary token identified by said auxiliary token information"*, or as recited in claim 22, and in particular comprising one or more processors arranged to *"cause the computing platform to suspend interaction between the secure process and the user if authentication is not possible as a result of the removal of the primary token unless the primary token is replaced by an authorized auxiliary token identified by said auxiliary token information"*. Accordingly, Applicants respectfully submit that the Examiner has failed to show that any combination of Handelman, Holtey or Perlman would have led one of ordinary skill in the art either to a computing apparatus as recited in claim 1 or in claim 22, and submit that claims 1 and 22 are patentable over Handelman, in view of Holtey and further in view of Lee.

Further, Applicants submit that at least in view of their dependency on claims 1 or 22, claims 10-11 and 26-27 are patentable over Handelman, in view of Holtey and further in view of Lee.

Allowable subject matter

Claims 6, 7, 24 and 25 stand objected to as being dependent upon a rejected base claim, but are deemed to be allowable if rewritten in independent form. Claims 6-7 depend directly or indirectly on claim 1 and claims 24-25 depend directly or indirectly on claim 22. Applicants acknowledge with gratitude the Examiner's indication of allowability as to claims 6-7 and 24-25. However, Applicants submits that claims 1 and 22 are patentable over the prior art.

* * *

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

The Commissioner is authorised to charge any additional fees that may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, the Commissioner is authorised to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

I hereby certify that this correspondence is being deposited with the United States Post Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on


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